

156-13  
#3

**COMPLETION OF FILING NATIONAL PHASE OF PCT APPLICATION  
UNDER RULE 35 USC 371 AND 37 CFR 1.494(c) OR 1.495(c)**

**BOX PCT**

**COMPLETION  
For PCT Cases Only**

In re **PATENT APPLICATION** of

Inventor(s): Berscheid, et. al.

Appln. No.: **08 860,007**

Atty. Dkt.

62-209-45694

45694

Series Code:

Serial No. I

M#

Client Ref

National Phase Filed:

Based on PCT **EP95** | 05068

| Country Code

(Our Deposit Account No. 06-0115)

5/a

G.M.

9-19-97

Title: **BIOCIDAL ALCOHOLS, THEIR  
PRODUCTION AND THEIR USE**

(Our Order No. 27462 | 62-209-45694

C#

M#

Date: August 4, 1997

**FILING OF ITEM(S) LATE IN PCT/USA NATIONAL CASE**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

The following completes the filing of the subject application under Rule 494(c)/495(c). Please accept the following attached items:

1. Missing Requirements Notice (PCT/DO/EO/905)  copy attached  not yet received
2.  Signed Declaration  Original  Facsimile/Copy  with spec/claims attached
3.  Translation of the International Application into English including:
  - a.  Request;  Abstract
  - c.  pgs. Spec. and Claims;  Translation verification
  - e.  sheets Drawing which are  informal  formal of size  A4  11"  13"  14"
4.  a copy of International Search Report (ISR) attached ( \_\_\_\_\_ page(s))
  - a.  plus Annex of family members ( \_\_\_\_\_ page(s))
5. Information Disclosure Statement including:
  - a.  Form PTO-1449 listing documents
  - b.  Copies of document(s) listed on Form PTO-1449
  - c.  A concise explanation of ISR references is given in the ISR
6.  Assignment and cover sheet. Please return the recorded assignment to the undersigned.
7.  Copy of Power to international application agent
8. \_\_\_\_\_ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.

08/12/1997 **WCL/PTO**  
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Completion Under Rule 494(c)/495(c)

9.  Formal Drawings: \_\_\_\_\_ sheet(s)  informal;  formal of size:  A4  11"  13"  14"

10.  Please immediately start national examination procedures (35 USC 371(f))

11.  Attached:

12.  Preliminary Amendment:

13.  Basic U.S. National fee per Rule 492(a)(1)-(4) was previously timely filed.

14. **Calculation of remaining fees due (if any):** based on amended claim(s) per above item

12 (above) or item(s) (in CDC-112 filed previously)  12  14  17  25

15. **CLAIMS FEES**  previously paid  paid herewith as follows:

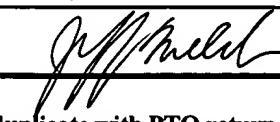
			Large/Small Entity		Fee Code
16. Total Effective Claims		minus 20 =		x \$22/\$11	+
17. Independent Claims		minus 3 =		x \$78/\$39	+
18. If <u>any proper</u> multiple dependent claim (ignore improper) is present, add			\$250/\$125	+	968969
19. Filing Declaration late, fee paid	previously	X now	\$130/\$65	+130	154/254
20.			<b>SUBTOTAL</b>	=	<b>\$130</b>
21. <u>Original due date:</u>					
22. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) (2mos) (3mos) (4mos)	\$110/\$55 \$380/\$190 \$900/\$450 \$1400/\$700	+	115/215 116/216 117/217 118/218
23.			<b>TOTAL</b>	=	<b>\$</b>
24. If "non-English" box 2 is X'd, add Rule 17(k) processing fee .....			\$130	+	156
25. If "assignment" box 6 is X'd, add recording fee .....			\$40	+	581
26.			<b>TOTAL FEE ENCLOSED</b>	=	<b>\$130</b>

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Farkas & Manelli, PLLC  
1233 20<sup>th</sup> Street, N.W. Suite 700  
Washington, D.C. 20036-2396  
Tel: (202) 778-1130

By: Atty: Jeffrey S. Melcher Reg. No. 35,950

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NOTE: File in duplicate with PTO return receipts & attachments



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

08/860.007  
U.S. APPLICATION NO.

08/860.007

BERSCHEID

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

R 209-45694

INTERNATIONAL APPLICATION NO.

FARKAS & MANELLI, PLLC  
1233 20TH STREET NW  
SUITE 700  
WASHINGTON DC 20036-2396

5611

PCT/EP95/05068

I.A. FILING DATE

PRIORITY DATE

12/20/95 12/21/94

DATE MAILED:

07/25/97

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494),  an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of Inventor(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed 19 Jun 97 and \_\_\_\_\_.

Information Disclosure Statement(s) filed 19 Jun 97 and \_\_\_\_\_.

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed.

Verified Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report  and copies of the references cited therein.

Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$\_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  31 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(b).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  Shelly A. Vigil  
 PTO-875  *Shelly A. Vigil* *Patent Agent* *SV*

FORM PCT/DO/EO/905 (September 1996)

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